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09/929,257	08/14/2001	Mieko Kusano	US01 8005	9730

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EXAMINER

BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/929,257

Applicant(s)

KUSANO ET AL.

Examiner

Yasin M Barqadle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03/29/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

Claims 1-38 are presented for examination.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-38 are rejected under 35 U.S.C. 102(a) as being anticipated by Franco et al (hereinafter ``Franco'') PCT No. (WO 200054187).

As per claim 1, Franco teaches a software application (page 1, lines 25-30 and page 3, lines 3-13) running on a local server (500, fig. 1A) having one or more associated local storage media (521, fig. 1A page 12, lines 24-27) and interfacing with a web-server (music provider 537, fig. 1A and page 3, 28-31; page 12, 24-27), the application representing data stored in the one or more local storage media in a consistent GUI based on content

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(page 12, lines 24-27), the web-server providing the local server with data in a compatible format for the application (music compatible to customer's collected statistical data is customized and suggested to customers page 11, lines 10-30 and page 19, lines 21 to page 20, line 4), the application organizing and presenting data accessible from the web-server on the GUI based on the content of the data provided (page 3, lines 28 to page 4 line 5].

As per claim 2, Franco teaches the software application of Claim 1, wherein the software application receives data downloaded from the web-server (music files are downloaded from provider 537 page 11, lines 25-30) and stores the data in one of the associated local storage media (page 3, lines 28-21), the application representing the downloaded data integrated with data stored in the one or more local storage media in a GUI based on content of the data [page 3, lines 28 to page 4, line 29 and page 16, lines 1-7].

As per claim 3, Franco teaches the software application as in claim 2, wherein the software application is a music application [page 1, lines 25-30].

As per claim 4, Franco teaches software application as in Claim 2, wherein the local server has one or more associated devices

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that interface with the local server [fig. 1A and page 3, lines 28 to page 4, line 29 and page 16, lines 1-7].

As per claim 5, Franco teaches software application as in Claim 4, wherein the software application controls an associated device to utilize data stored in the one or more local storage media when the user selects the content of the stored data as represented on the GUI [fig. 1A and page 3, lines 28 to page 4, line 29 and page 16, lines 1-7].

As per claim 6, Franco teaches software application of claim 2, wherein the GUI omits location of the storage medium of the data represented on the GUI [fig. 1A and page 3, lines 28 to page 4, line 29 and page 16, lines 1-7].

As per claim 7, Franco teaches the software application of Claim 1, wherein the software application receives identification data for data that that is accessible from the web-server, the application representing the data accessible from the web-server integrated with data stored in the one or more local storage media in a GUI based on content of the data [fig. 1A; page 3, lines 28 to page 4, line 29 and page 19, lines 21 to page 20, line 4].

As per claim 8, Franco teaches the software application of Claim 7, wherein a selection of the data accessible from the web-server

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via the GUI initiates a stream of the data from the web-site [page 21, lines 29 to page 22, line 3].

As per claim 9, Franco teaches the software application of claim 8, wherein the streamed data is used by a device that is associated with the local server [fig. 1A page 11, lines 6-25].

As per claim 10, Franco teaches a Graphical User interface (GUI) generated by a software application running on a local server and having a connection to a remote network, the GUI representing data stored locally and in the remote network in standard displays that integrate the representation of data independent of where stored [page 2, 7-15 and page 5, lines 24-29].

As per claim 11, Franco teaches the GUI as in Claim 10, wherein the GUI represents data in standard displays based on content [page 7, lines 5-8 and lines 22-28. see also page 19, lines 5-12].

As per claim 12, Franco teaches the GUI as in Claim 11, wherein the GUI controls an associated device to utilize data selected by a user based on the content represented in the GUI [page 7, lines 29 to page 8, line 6].

As per claim 13, Franco teaches the GUI as in Claim 11, wherein the software application initiates a download of data from the

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remote network selected by a user based on the content represented in the GUI [page 21, lines 29 to page 22, line 3].

As per claim 14, Franco teaches the GUI as in Claim 13, wherein the software application stores the downloaded data locally and causes the GUI to represent the downloaded data together with other data stored locally and in the remote network in standard displays that integrate the representation of data independent of where stored [page 2, 7-15 and page 6, lines 24-30].

As per claim 15, Franco teaches the GUI as in Claim 12, wherein the software application initiates a stream of data from the remote network selected by a user based on the content represented in the GUI [fig. 1A and page 2, 7-23].

As per claim 16, Franco teaches a system comprising a local server (500, fig. 1A) that interfaces with a remote network (fig. 1A, internet 535) and runs at least one software application (page 1, 25-30 and page 12, 24-27), the system having at least one associated storage medium for storage of local information (521, fig. 1A page 3, 28-31 and page 12, 24-27), the software application initiating communication from the local server to the remote network to retrieve information from the remote network and storing the retrieved information on the at least one associated storage medium as local information (page 6, lines 24-30 and page 11, lines 21-30), the retrieved information

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including specified data formatted in a pre-defined data format that is compatible with the at least one software application [page 22, lines 25 to page 23 line 22 and page 19, lines 21 to page 20, line 4].

As per claim 17, Franco teaches the system according to claim 16, wherein the local server interfaces with the remote web network via a web-server [fig. 1A. and page 11, lines 25-30].

As per claim 18, Franco teaches the system according to Claim 17, wherein the web-server receives data in the pre-defined format from at least one data provider [page 19, lines 21 to page 20, line 4 and page 21, lines 10-21. see also page 23, lines 9-24].

As per claim 19, Franco teaches the system according to Claim 18, wherein the at least one data provider is a web-site [page 21, lines 29 to page 22, line 3].

As per claim 20, Franco teaches the system according to Claim 18, wherein the web-server receives data from at least one data provider and transforms it into the pre-defined format [page 19, lines 21 to page 20, line 4 and page 21, lines 10-21. see also page 23, lines 9-24].

As per claim 21, Franco teaches the system according to Claim 16, wherein the pre-defined data format is compatible with a standard



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GUI generated by the at least one software application [page 19, lines 21 to page 20, line 4 and page 21, lines 10-21. see also page 23, lines 9-24].

As per claim 22, Franco teaches a method of enabling a remote server to provide information (provider 537) to a local server (500, fig. 1A), the method comprising the steps of storing information, selecting information that is applicable to a software application of the local server, and transferring the selected information to the local server, the information being in a format compatible with the software application [content is customized by music provider based user's statistical data collected from user page 19, lines 21 to page 20, line 4 and page 21, lines 10-21 and page 8, lines 21-31].

As per claim 23, Franco teaches the method of Claim 22, wherein the remote server receives the information in a pre-defined format that is used by the software application [page 19, lines 21 to page 20, line 4 and page 21, lines 10-21 and page 8, lines 21-31].

As per claim 24, Franco teaches the method of Claim 22, wherein the remote server converts the information into a pre-defined format that is used by the software application [page 19, lines 21 to page 20, line 4 and page 21, lines 10-21 and page 8, lines 21-31].

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As per claim 25, Franco teaches the method of Claim 22, wherein the remote server transfers the selected information to the local server in a format that is convertible by the local server into a pre-defined format used by the software application of the local server [page 6, lines 6-11; page 19, lines 21 to page 20, line 4 and page 21, lines 10-21].

As per claim 26, Franco teaches the method of Claim 22, wherein the remote server receives the information from at least one web-site [page 8, lines 21-31].

As per claim 27, Franco teaches the method of Claim 26, wherein the remote server receives the information in a pre-defined format that is used by the software application [page 19, lines 21 to page 20, line 4 and page 21, lines 10-21].

As per claim 29, Franco teaches the method as in claim 22, wherein the selected information transferred to the local server comprises control information for a GUI associated with the local server [page 7, lines 29 to page 8, line 6 and page 19, lines 5-31].

As per claim 29, Franco teaches the method as in claim 22, wherein the information in the pre-defined format comprises content information for the software application of the local

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server [page 19, lines 21 to page 20, line 4 and page 21, lines 10-21].

As per claim 30, Franco teaches a method of enabling a software application of a local server (500, fig. 1A) to receive information from a remote server (537, fig. 1A), the method comprising the steps of requesting information that is applicable to the software application (page 11, 21-30), the requested information comprising at least one preference of an end user, and receiving selected information from the remote server in a format compatible with the software application, the selected information corresponding to the at least one preference [page 7, lines 29 to page 8, line 6 and page 8, lines 28-31. see page 19, lines 21 to page 20, line 4].

As per claim 31, Franco teaches the method of Claim 30, wherein the local server receives the selected information in a pre-defined format that is used by the software application [page 6, lines 6-9 and page 12, lines 6-18].

As per claim 32, Franco teaches the method of Claim 30, wherein the local server converts the selected information received into a pre-defined format that is used by the software application [page 12, lines 6-18].

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As per claim 33, Franco teaches the method of Claim 30, wherein the local server receives the selected information from a web-server [page 11, lines 25-30].

As per claim 34, Franco teaches the method of Claim 33, wherein the web-server receives the selected information from at least one web-site [page 21, lines 29 to page 22, line 3].

As per claim 35, Franco teaches the method of Claim 33, wherein the web-server receives information from at least one web-site and selects the information that is received by the local server [page 21, lines 29 to page 22, line 12].

As per claim 36, Franco teaches the method of Claim 30, wherein the web-server converts the selected information that is received by the local server into a pre-defined format that is used by the software application [page 19, lines 21 to page 20, line 4 and page 21, lines 10-21].

As per claim 37, Franco teaches the method as in Claim 30, wherein the selected information received by the local server comprises control information for a GUI associated with the local server [page 7, lines 29 to page 8, line 6 and page 19, lines 5-31].

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As per claim 38, Franco teaches the method as in Claim 30, wherein the selected information comprises content information for the software application of the local server [page 7, lines 29 to page 8, line 6 and page 8, lines 28-31].

### Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

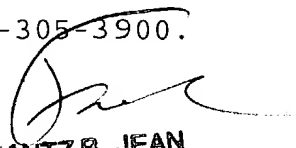
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Barqadle

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PRANTZ B. JEAN  
PRIMARY EXAMINER